

United States District Court  
For the Northern District of California

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6 SEAN L GILBERT, et al.,

No. C 13-01171 JSW

7 Plaintiffs,

8 **ORDER DISCHARGING ORDER  
TO SHOW CAUSE**

9 v.

10 BANK OF AMERICA, et al.,

11 Defendants.

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13 The Court has read and considered the parties' responses to this Court's Order to Show  
14 Cause why the claims asserted by Plaintiff Keeya Malone ("Malone") against Defendant David  
15 Johnson should not be dismissed.

16 Johnson did not move to compel Ms. Malone to arbitrate her claims, and Ms. Malone  
17 has not sought to arbitrate those claims. Therefore, the Court retains jurisdiction over her  
18 claims. After considering the parties' responses to the Court's Order to Show Cause, the Court  
19 will not dismiss the claims at this time. Johnson is free to renew his arguments by way of a  
20 motion for judgment on the pleadings or a motion for summary judgment.

21 **IT IS SO ORDERED.**

22 Dated: May 20, 2015

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25 JEFFREY S. WHITE  
26 UNITED STATES DISTRICT JUDGE

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